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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,)
Plaintiff,) Case No.: 2:15-mj-00340-VCF
vs.)
JASON ANTHONY LIEBOLD,) STIPULATION TO CONTINUE
Defendant.) PRELIMINARY HEARING (*Fourth
request*)

IT IS HEREBY STIPULATED AND AGREED between the parties, Daniel G. Bogden, United States Attorney for the District of Nevada, and Jiamin Chen, Assistant United States Attorney, and Rebecca Levy, counsel for defendant JASON ANTHONY LIEBOLD, that the preliminary hearing date in the above-captioned matter, currently scheduled for October 5, 2015 at 4:00 pm, be vacated and continued for fourteen (14) days, to a date and time to be set by this Honorable Court.

This stipulation is entered into for the following reasons:

1. The parties continue to engage in plea negotiations. A plea offer has been extended to the defendant, who requires additional time to review the plea agreement. By allowing more time, the Defendant may enter a plea, which will alleviate the need for an indictment to be filed, or for the case to proceed to trial.

2. The parties agree to the continuance.

3. Additionally, denial of this request for continuance could result in a denial of justice.

4. The additional time requested herein is not sought for purposes of delay, but to allow for the case be resolved via a pre-indictment plea.

5. The additional time requested by this stipulation, is allowed, with the defendant's consent under the Federal Rules of Procedure 5.1(d).

DANIEL G. BOGDEN
United States Attorney

Date: 10/1/2015

Date: 10/1/2015

____/s/ _____
REBECCA LEVY
Counsel for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,)
Plaintiff,) Case No.: 2:15-mj-00340-VCF
vs.)
JASON ANTHONY LIEBOLD,) FINDINGS OF FACT AND ORDER
Defendant.)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties continue to engage in plea negotiations. A plea offer has been extended to the defendant, who requires additional time to review the plea agreement. By allowing more time, the Defendant may enter a plea, which will alleviate the need for an indictment to be filed, or for the case to proceed to trial.

2. The parties agree to the continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

1 5. The additional time requested herein is not sought for purposes of delay,
2 but to allow for the case be resolved via a pre-indictment plea.

3 6. The additional time requested by this stipulation, is allowed, with the
4 defendant's consent under the Federal Rules of Procedure 5.1(d).

5 7. This is the fourth request for a continuance of the preliminary hearing.

6 For all of the above-stated reasons, the ends of justice would best be served by a
7 continuance of the preliminary hearing date.

8 **CONCLUSIONS OF LAW**

9 The ends of justice served by granting said continuance outweigh the best
10 interest of the public and the defendant, since the failure to grant said continuance would be
11 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
12 opportunity within which to be able to effectively and thoroughly prepare for the preliminary
13 hearing, and possibly resolve the case prior to the preliminary hearing or an indictment, taking
14 into account the exercise of due diligence.

15 The continuance sought herein is allowed, with the defendant's consent, pursuant
16 to Federal Rules of Procedure 5.1(d).

ORDER

IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for October 5, 2015, at the hour of 4:00 pm, be vacated and continued to October 20, 2015 at the hour of 4:00 am/pm.

DATED 1st day of October, 2015.

THE HONORABLE CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE